

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JOHN R. BLUMATTE, a/k/a)
ROBERT ANGONA, a/k/a)
JOHN BLUE,)
)
Plaintiff,)
)
-against-) 2007 Civ. 2944 (JSR)
)
GERARD QUINN, DONALD ROGERS,)
STEPHEN FARTHING, RANDOLPH LERNER, JR.,)
DAVID LEVINSON, RUSSELL)
WILKINSON, EILEEN GUGGENHEIM,)
ROBERT BOLANDIAN, CHARLES CAWLEY,)
ANTHONY COLES, CHRISTOPHER FORBES,)
MARGOT GORDON, ROLAND GRYBAUSKAS,)
LUDWIG KUTTNER, DAVID LONG,) NOTICE OF MOTION
DOUGLAS OLIVER, JULIA JITKOFF, DAVID) TO DISMISS
SCHAFER, SYBIL SHAINWALD, DENNIS) THE COMPLAINT
SMITH, THE GRADUATE SCHOOL OF)
FIGURATIVE ART OF THE NEW YORK)
ACADEMY OF ARTS, JEFFREY C. SLADE,)
and ELYSE RUZOW,)
)
Defendants.)
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PLEASE TAKE NOTICE that, upon the Declaration of Bennette D.

Kramer, dated June 28, 2007, and the exhibits thereto, and the accompanying Memorandum of Law in Support of Defendants' Motion to Dismiss the Complaint dated April 12, 2007, Defendants Stephen Farthing, Randolph Lerner, Jr., David Levinson, Russell Wilkinson, Eileen Guggenheim, Robert Bolandian, Charles Cawley, Anthony Coles, Christopher Forbes, Margot Gordon, Roland Grybauskas, Ludwig Kuttner, Douglas Oliver, Julia Jitkoff, David Schafer, Sybil Shainwald, Dennis Smith and the Graduate School of Figurative Art of The New York Academy of Arts will move this Court before the Honorable Jed S. Rakoff, United States District Judge, at the United

States Courthouse, 500 Pearl Street, New York, New York, at 4:30 pm on July 24, 2007, for an order, pursuant to Fed. R. Civ. Proc. 12(b)(6), dismissing Plaintiff's Complaint for failure to state a claim upon which relief may be granted, and for such other and further relief as the Court deems appropriate.

PLEASE TAKE FURTHER NOTICE that any opposing papers must be served on July 16, 2007.

Date: New York, New York
June 28, 2007

SCHLAM STONE & DOLAN LLP

By: 

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